



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: April 10, 2014

Initiated By: Sara Ott, Sr. Project Manager

Re: Resolution 27-14 – A Resolution of Intent to Appropriate a 0.086 Acre, More or Less, Permanent Easement and a 0.097 Acre, More or Less, Temporary Easement from Paul E. Null, Jr., for the Property Located at 15 Grandview Drive for the Construction of a Multi-Use Path as Part of the Dublin Road South Phase 3 Project.

Background

The City of Dublin ("City") is preparing to construct a shared use path on the western side of Dublin Road between Rings Road and Waterford Drive (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers based upon appraisals to each of these landowners.

One of the landowners that the City must obtain property interests from for the construction of the Project is Paul E. Null, Jr. (the "Grantor"). After multiple attempts to engage in negotiations with the Grantor, it appears that the City may be forced to appropriate the needed property from the Grantor.

The City is still hopeful that an amicable resolution can be reached with the Grantor; however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

Property to be Appropriated

The appropriation consists of the following property interests, as depicted in the map attached hereto:

Franklin County Parcel No. 273-000254

| | |
|--------------------|---------------|
| Parcel 28 | |
| Permanent Easement | 0.086 ± acres |
| Temporary Easement | 0.097 ± acres |

Recommendation

Staff recommends approval of Resolution 27-14 as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

27-14

Resolution No. _____

Passed _____, 20____

A RESOLUTION OF INTENT TO APPROPRIATE A 0.086 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.097 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM PAUL E. NULL, JR. FOR THE PROPERTY LOCATED AT 15 GRANDVIEW DRIVE FOR THE CONSTRUCTION OF A MULTI-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT.

WHEREAS, the City of Dublin (the "City") is preparing to construct a multi-use path along Dublin Road (the "Project"); and

WHEREAS, said Project requires that the City obtain a permanent easement and a temporary easement from Paul E. Null, Jr., as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto, said property interest located in the City of Dublin, County of Franklin, State of Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council considers it necessary and declares its intention to appropriate, for the purpose of installing a multi-use path, a permanent easement and a temporary easement as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto.

Section 2. The City Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owner and persons in possession or having an interest of record in the property described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," and this notice shall be served according to law.

Section 3. This Resolution shall take effect upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

| | |
|--------------|------------|
| | 1 of 2 |
| CIP | 08-009 |
| PARCEL | 28-P |
| PROJECT | DUBLIN MUP |
| Version Date | 11/01/13 |

**PARCEL 28-P
DUBLIN ROAD SOUTH MULTI-USE PATH
PERPETUAL EASEMENT
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 22 of the subdivision entitled GOULD ADDITION No. 2, as recorded in Plat Book 27, Page 73, and as conveyed to Paul E. Null, Jr., by deed of record in Instrument Number 201007130087782, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Begin for Reference at an iron pin found at the southeasterly corner of said Lot 22;

Thence North 87 deg. 32 min. 50 sec. West, a distance of 11.66 feet along the southerly line of said Lot 22 to a point in the existing westerly right-of-way line of Dublin Road, being 31.56 feet left of centerline station 154+57.70, and being the **Point of True Beginning**;

Thence continuing North 87 deg. 32 min. 50 sec. West, a distance of 8.45 feet along the southerly line of said Lot 22 to a point being 40.00 feet left of centerline station 154+57.26;

Thence North 05 deg. 26 min. 35 sec. East, a distance of 45.27 feet across said Lot 22 to a point being 50.00 feet left of centerline station 154+90.41;

Thence North 20 deg. 47 min. 05 sec. East, a distance of 159.47 feet across said Lot 22 to a point of non-tangent curvature in the northeasterly line of said Lot 22, being 50.00 feet left of centerline station 156+49.88;

Thence along the arc of a curve to the right for 22.54 feet, along the northeasterly line of said Lot 22, and along the existing southerly right-of-way line of Grandview Drive, having a radius of 25.00 feet, a central angle of 51 deg. 39 min. 56 sec., a chord bearing of South 45 deg. 50 min. 45 sec. East, a chord distance of 21.79 feet to a point of tangency, being 30.00 feet left of centerline station 156+41.24;

Thence South 20 deg. 47 min. 05 sec. West, a distance of 191.83 feet along the existing westerly right-of-way line of Dublin Road to the **Point of Beginning**, containing 0.086 acres, more or less.

EXHIBIT A

| | |
|--------------|------------|
| | 2 of 2 |
| CIP | 08-009 |
| PARCEL | 28-P |
| PROJECT | DUBLIN MUP |
| Version Date | 11/01/13 |

Of the above described area, 0.086 acres are contained within Franklin County Auditor's Parcel 273-000254.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), using the bearing of South 20 deg. 27 min. 34 sec. West, as derived from a GPS survey in 2008 occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 201007130087782, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



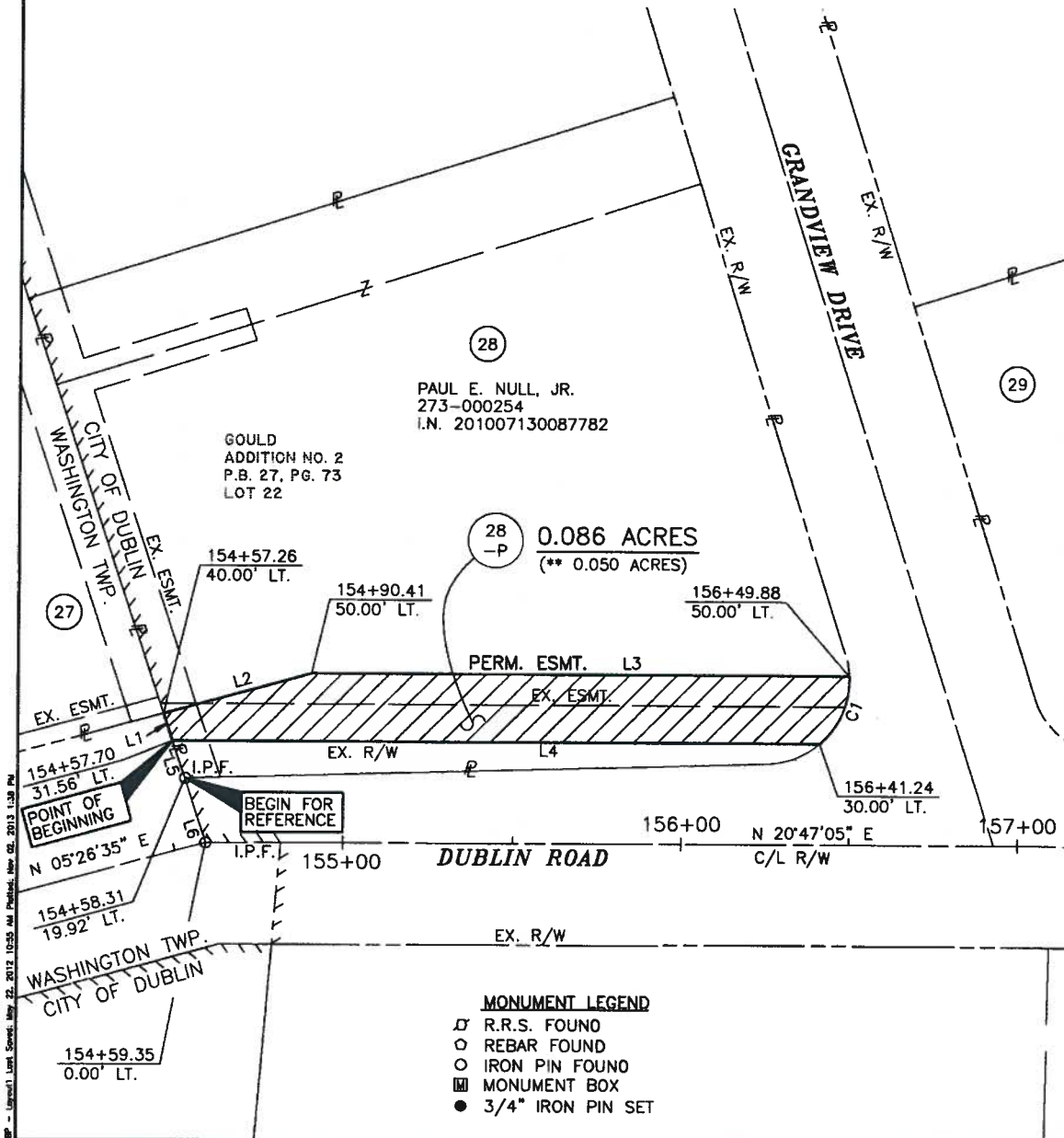
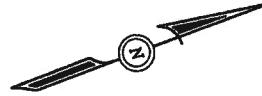
STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 11/3/13
Registered Surveyor No. 7191 Date

EXHIBIT B

| NUMBER | DELTA ANG. | RADIUS | ARC LEN | CHORD | DIRECTION | CHORD |
|--------|------------|--------|---------|---------------|-----------|--------|
| C1 | 51°39'56" | 25.00' | 22.54' | S 45°50'45" E | | 21.79' |

| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L1 | N 87°32'50" W | 8.45' |
| L2 | N 05°26'35" E | 45.27' |
| L3 | N 20°47'05" E | 159.47' |
| L4 | S 20°47'05" W | 191.83' |
| L5 | N 87°32'50" W | 11.66' |
| L6 | N 87°32'50" W | 19.94' |



(27) KENT L. & LINDA O. STEPHENS
270-000397
LOT 1, LEPPERT SUBDIVISION
P.B. 27, PG. 13

(29) ISAAC D. KAY W. PENSON
273-000233

** PORTION OF THE PROPOSED EASEMENT
LYING WITHIN AN EXISTING EASEMENT

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON
STATE PLANE GRID BEARINGS FROM THE OHIO
COORDINATE SYSTEM, SOUTH ZONE, NAD 83
(86), USING THE BEARING OF S 20°27'34" W
AS DERIVED FROM A GPS SURVEY OCCUPYING
FRANKLIN COUNTY ENGINEER'S STATIONS
"FRANK 73", AND "FCGS 6642 RESET".



PARCEL 28-P
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Stantec

Steven E. Rader
Registered Surveyor #7191

11/3/13
Date

EXHIBIT A

| | | |
|--------------|------------|----------|
| | CIP | 1 of 2 |
| | PARCEL | 08-009 |
| | PROJECT | 28-T |
| | DUBLIN MUP | |
| Version Date | | 05/18/12 |

**PARCEL 28-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO PERFORM MINOR GRADING and RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 22 of the subdivision entitled GOULD ADDITION No. 2, as recorded in Plat Book 27, Page 73, and as conveyed to Paul E. Null, Jr., by deed of record in Instrument Number 201007130087782, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Begin for Reference at an iron pin found at the southeasterly corner of said Lot 22;

Thence North 87 deg. 32 min. 50 sec. West, a distance of 20.11 feet along the southerly line of said Lot 22 to the **Point of True Beginning** of the herein described parcel, being 40.00 feet left of centerline station 154+57.26;

Thence continuing North 87 deg. 32 min. 50 sec. West, a distance of 15.02 feet along the southerly line of said Lot 22 to a point being 55.00 feet left of centerline station 154+56.47;

Thence the following four (4) courses and distances across said Lot 22;

1. Thence North 05 deg. 26 min. 35 sec. East, a distance of 29.18 feet to a point being 60.00 feet left of centerline station 154+70.16;
2. Thence North 20 deg. 47 min. 05 sec. East, a distance of 135.50 feet to a point being 60.00 feet left of centerline station 156+05.67;
3. Thence North 86 deg. 46 min. 34 sec. West, a distance of 43.64 feet to a point being 101.60 feet left of centerline station 155+92.50;
4. Thence North 03 deg. 13 min. 26 sec. East, a distance of 40.00 feet to the intersection with the northerly line of said Lot 22 in the existing southerly right-of-way line of Grandview Drive, being 113.67 feet left of centerline station 156+30.64;

Thence South 86 deg. 46 min. 34 sec. East, a distance of 60.00 feet along the northerly line of said Lot 22, and along the existing southerly right-of-way line of Grandview Drive, to a point of tangent curvature, being 56.47 feet left of centerline station 156+48.74;

Thence along the arc of a curve to the right for 6.59 feet, along the northeasterly line of said Lot 22, and along the existing southerly right-of-way line of Grandview Drive, having a radius of 25.00 feet, a central angle of 15 deg. 05 min. 52 sec., a chord bearing of South 79 deg. 13 min. 39 sec. East, a chord distance of 6.57 feet to a point of non-tangency, being 50.00 feet left of centerline station 156+49.88;

Thence South 20 deg. 47 min. 05 sec. West, a distance of 159.47 feet across said Lot 22, to a point being 50.00 feet left of centerline station 154+90.41;

Thence South 05 deg. 26 min. 35 sec. West, a distance of 45.27 feet across said Lot 22, to the **Point of Beginning**, containing 0.097 acres, more or less.

EXHIBIT A

| | |
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| | 2 of 2 |
| CIP | 08-009 |
| PARCEL | 28-T |
| PROJECT | DUBLIN MUP |
| Version Date | 05/18/12 |

Of the above described area, 0.097 acres are contained within Franklin County Auditor's Parcel 273-000254.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 201007130087782, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

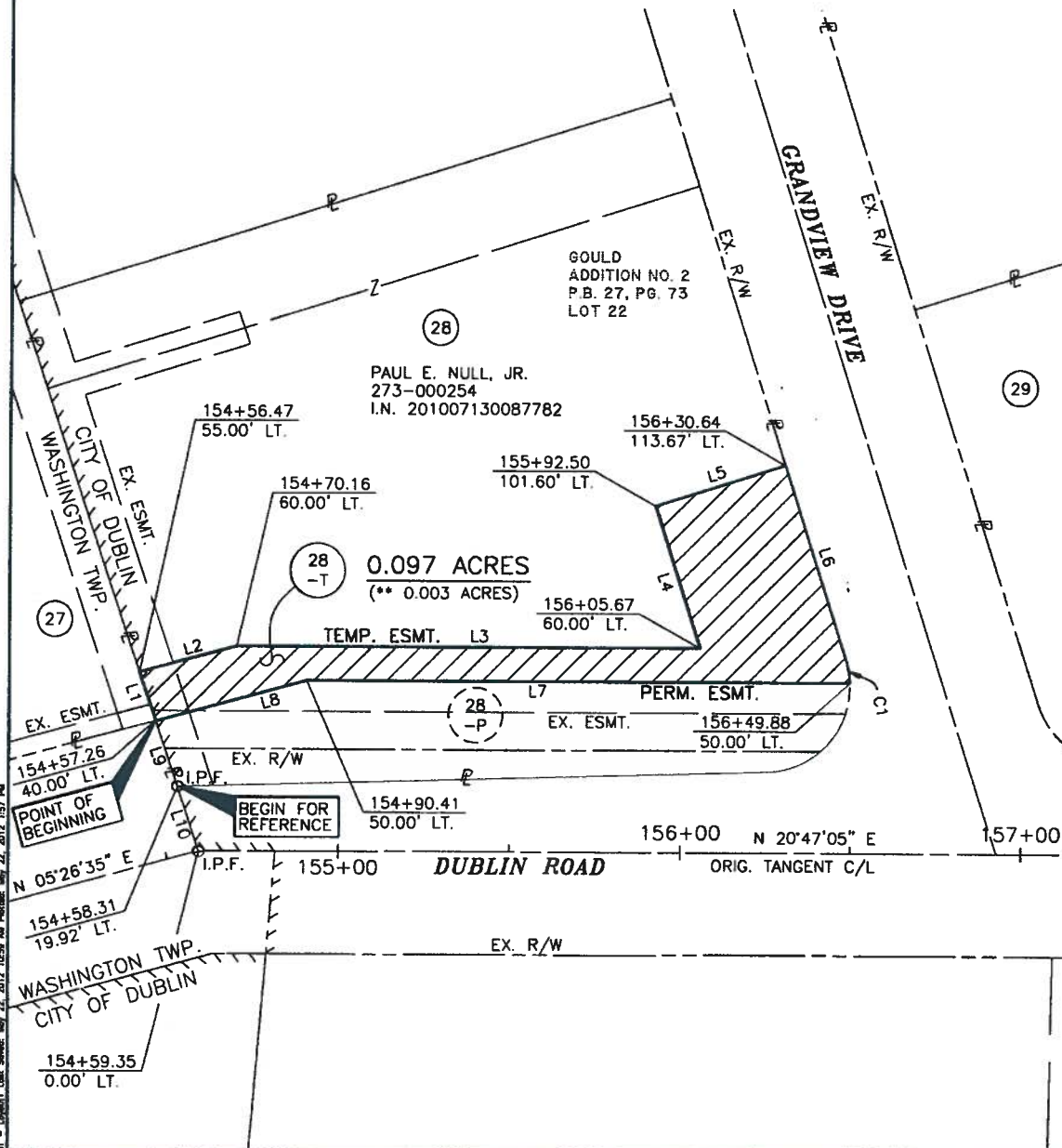
Steven E. Rader 5/22/12
Registered Surveyor No. 7191 Date

| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L1 | N 87°32'50" W | 15.02' |
| L2 | N 05°26'35" E | 29.18' |
| L3 | N 20°47'05" E | 135.50' |
| L4 | N 86°46'34" W | 43.64' |
| L5 | N 03°13'26" E | 40.00' |
| L6 | S 86°46'34" E | 60.00' |
| L7 | S 20°47'05" W | 159.47' |
| L8 | S 05°26'35" W | 45.27' |
| L9 | N 87°32'50" W | 20.11' |
| L10 | N 87°32'50" W | 19.94' |

EXHIBIT B



| NUMBER | DELTA ANG. | RADIUS | ARC LEN | CHORD DIRECTION | CHORD |
|--------|------------|--------|---------|-----------------|-------|
| C1 | 15°05'52" | 25.00' | 6.59' | S 79°13'39" E | 6.57' |

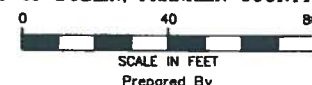


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270-000397
LOT 1, LEPPERT SUBDIVISION
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- (29) ISAAC D. KAY W. PENSON
273-000233

MONUMENT LEGEND

- R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET

PARCEL 28-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



** PORTION OF THE PROPOSED EASEMENT
LYING WITHIN AN EXISTING EASEMENT

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE
PLANE GRID BEARINGS FROM THE OHIO COORDINATE
SYSTEM, SOUTH ZONE, NAD 83 (86), AS MEASURED
USING G.P.S. METHODS THROUGH THE FRANKLIN
COUNTY ENGINEER'S STATIONS "FRANK 73", AND
"FCGS 6642 RESET".



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Steven E. Rader 5/22/12
Registered Surveyor #7191 Date